

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of the Commission's
Issuance of the Alternative Energy
Portfolio Standard Report for 2009 and
2010**

Case No. 12-1100-EL-ACP

**COMMENTS OF OHIO EDISON COMPANY,
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, AND
THE TOLEDO EDISON COMPANY**

Pursuant to the Commission's Entry of April 16, 2012, Ohio Edison Company ("Ohio Edison"), The Cleveland Electric Illuminating Company ("CEI"), and The Toledo Edison Company ("Toledo Edison") (collectively, the "Companies"), respectfully file their comments to the Draft Alternative Energy Portfolio Standard Report, 2009 & 2010 Compliance Years ("Report").

Section 4928.64(D)(1), Revised Code, requires the Commission to submit a report to the General Assembly describing the compliance of electric distribution utilities and electric services companies with Section 4928.64(B), Revised Code, and any strategy for utility and company compliance or for encouraging the use of alternative energy resources in supplying this state's electricity needs in a manner that considers available technology, costs, job creation, and economic impacts. The statute also requires the Commission to solicit and consider public comments on the report prior to its submission to the General Assembly. Rule 4901:1-40-09, Ohio Administrative Code (O.A.C), and provides that the report will be issued for public comment 30 days prior to its submission to the General Assembly, unless otherwise ordered by the Commission.

The Companies appreciate the opportunity to comment and acknowledge the hard work of the Staff reflected in the Report. The Companies respectfully request that the

Commission and Staff consider their brief comments and appropriately modify the Report.

First, the Companies recommend that the Commission remove or segregate all 2011 data from the Report because the Report is meant to focus on 2009 and 2010 Compliance Years. The Staff's inclusion of 2011 data does not give an accurate depiction of the availability of renewable energy resources in 2009 and 2010. Specifically, in Table 1 and in Appendix A, Staff included details on the facilities certified by the Commission as of December 1, 2011. Staff only segregated the 2011 data on page 16 of the Appendix, in the fifth and sixth table. As Staff noted, "the compliance efforts relative to these 2009 and 2010 renewable requirements constitute the focal point of this report." (Report, p. 5.) Therefore, the Companies recommend that the Commission either remove all 2011 data or segregate the data into separate tables.

Similarly, the Companies recommend that the Commission segregate the data for 2009 and 2010 in Table 1. In other words, the Commission should have a separate table for each compliance year. Creating separate tables will allow the General Assembly to see a snapshot of how many facilities were qualified for renewable energy at the end of each compliance year.

Third, the Companies recommend that the Commission include more details on certain projects that, without such detail, may tend to skew the data and therefore not give the General Assembly a complete and fully accurate depiction of the renewable energy credits ("RECs") that may be available from a facility in a given calendar year. For example, on page 16 of the Report, in the fifth table, the certified Ohio Solar PV Generating Facilities Capacity increases from 1.73MW to 19.97 MW, making it appear as if nearly 18 MWs more of RECs became available in 2010. However, 12 MWs of this

capacity includes the Wyandot Facility, which has a 25-year Purchase Power Agreement with AEP. Therefore, these RECs would not be expected to be available for other Electric Distribution Utilities (“EDUs”) or competitive retail electric service providers to use for compliance.

Lastly, the Companies recommend that the Commission note in the Report that the timing during the year of facility application approval significantly impacts the availability of renewable energy credits (“RECs”) in a given calendar year. For example, it would be challenging for the Companies to procure (and the operator to produce) RECs for the 2010 compliance year if the facility was not certified until December 2010. The Companies believe that to give the General Assembly a more complete and accurate depiction of the certified facilities, the Commission should note this timing issue.

The Companies appreciate the Staff’s diligent efforts in drafting a report that will give the General Assembly insight on renewable energy in Ohio. The Companies have offered the foregoing requested changes to the Report to both improve the quality and usefulness of the Report to the General Assembly. The Companies urge the Commission to adopt the recommendations of the Companies set forth above.

Respectfully submitted,

/s/ Carrie M. Dunn

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Reply Comments* was filed electronically this 22nd day of May, 2012, with the Public Utilities Commission of Ohio. Notice of this filing will also be sent via e-mail to subscribers by operation of the Commission's electronic filing system.

/s/ Carrie M. Dunn
*One of the Attorneys for Ohio Edison
Company, The Cleveland Electric
Illuminating Company and The Toledo
Edison Company*

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Summary: Comments electronically filed by Ms. Carrie M Dunn on behalf of The Cleveland Electric Illuminating Company and Ohio Edison Company and The Toledo Edison Company